

REMARKS

Claims 12, 14, 15 and 17 are pending. Claims 12 and 15 are independent. By this Amendment, claims 12 and 15 are amended, and claims 13 and 16 are canceled. Support for the amendments can be found, at least, on paragraphs [0028], [0029] and [0051] of Applicant's originally filed specification. It is believed that no new matter is added.

In view of the foregoing amendment and the following remarks, reconsideration and allowance of this application are respectfully requested.

I. 35 U.S.C. § 103 Rejection

Claims 12-17 are rejected under 35 U.S.C. § 103(a) as being anticipated over Barnard et al. ("Barnard") in view of Humpleman et al. ("Humpleman"). This rejection is respectfully traversed.

Claim 12, as amended, recites a combination of elements including "a plurality of network devices connected to a network; and a managing device configured to: manage network state information for managing and controlling the plurality of network devices included in the network, wherein the network state information includes unique information uniquely assigned to devices included in the network for identifying each device in the network and the unique information is assigned by the managing device; detect whether a new device is entered into the network; identify a capability of the new device; determine, based on the identified capability of the new device, whether the new device can be a management device managing the network and the plurality of network devices; and transmit, if the new device is determined as the management device, the network state information to the new device such that the new device operates as a management device for subsequent network management." Claim 15 recites

similar features as claim 12 in a varying scope. Barnard and Humpleman do not disclose these features.

In Applicant's claimed invention, the managing device determines that the new device can be a device managing device managing the network. Thereafter, when the new device is determined that it can be the device managing the network, the previous device managing the network transmits the network state information to the new device in order for the new device to become the device managing the network.

By contrast, Barnard discloses that the presence of each new network device on the network is automatically detected. Barnard discloses having two network management devices with one of the two network management devices being designated as a master management device or a slave management device. Barnard further discloses that upon the detection of a new network device, the master management device obtains configuration information and capability information regarding the detected network device. That is, in Barnard, a master management device is already determined and a newly connected device is not a management device. Therefore, Barnard does not determine whether the new device is a management device because the management device is already determined. Further, Barnard does not disclose the network state information is transmitted to the new device in order to operate as a management device for subsequent network management, if the new device is determined as the management device. Rather, Barnard merely discloses a determined master management device obtaining configuration information and capability information of a new network device. Further, because the management device is already determined, Barnard does not need to transmit the network state information to the new device if the new device is determined to be the management device. Therefore, Barnard does not disclose "determine, based on the identified capability of the new

device, whether the new device can be a management device managing the network and the plurality of network devices; and transmit, if the new device is determined as the management device, the network state information to the new device such that the new device operates as a management device for subsequent network management,” as recited in claim 12.

However, the Office Action asserts that Humpleman cures the deficiencies of Barnard. Applicant respectfully disagrees.

Humpleman discloses detecting, commanding and controlling home devices that are connected to a home network. Humpleman further discloses a GENIP 316 determines if a home device has been added or removed from the home network by comparing the “current” database against the previous read database. In addition, Humpleman can detect any newly connected devices on the home network. However, Humpleman is silent as to determining whether the newly connected device can be a management device. Rather, Humpleman discloses that a session manger, a software agent, assists the user in interacting with the network and controlling the various home device connected to the network. Therefore, Humpleman does not disclose “determine, based on the identified capability of the new device, whether the new device can be a management device managing the network and the plurality of network devices; and transmit, if the new device is determined as the management device, the network state information to the new device such that the new device operates as a management device for subsequent network management,” as recited in claim 12. As such, Humpleman does not supply the subject matter lacking in Barnard. Therefore, Barnard and Humpleman, alone or in combination, do not disclose the features of claim 12, and similar features recited in claim 15. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 12 and 15, and their dependent claims, under 35 U.S.C. § 103(a).

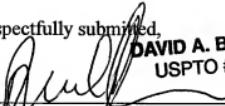
CONCLUSION

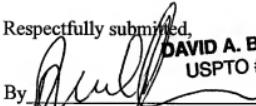
In view of the foregoing, it is respectfully submitted that this application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong, Registration No. 40,953 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: SEP. 26 2011

Respectfully submitted,

DAVID A. BILODEAU
USPTO #42,325

By 
Esther H. Chong
Registration No.: 40953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

DAVID A. BILODEAU
USPTO #42,325